

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570

This filing applies to:

*Estate of John P. O'Neill, Sr., et al. v. Al Baraka Investment and Development
Corporation, et. al., Case No. 04 CV 01923 (RCC)*

**NOTICE OF MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)
BY COUNCIL ON AMERICAN ISLAMIC RELATIONS**

PLEASE TAKE NOTICE that, pursuant to Rule 12 (b), Fed. R. Civ. P., upon the accompanying Memorandum of Law in Support of Motion To Dismiss of Defendant Council on American Islamic Relations, and all prior pleadings and proceedings herein, Defendant Council on American Islamic Relations, by and through their undersigned counsel, will move this Court before the Honorable Richard C. Casey, United States District Judge, United States District Court for the Southern District of New York, at the United States Court House, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for an order dismissing, pursuant to Rule 12(b)(6), Fed. R. Civ. P., all claims against Defendant Council on American Islamic Relations in the above referenced action with prejudice, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
October 17, 2005

Respectfully submitted,
THE LAW FIRM OF OMAR T. MOHAMMEDI

By: _____/s/_____
Omar T. Mohammedi (OM-7234)

200 Madison Avenue
New York, New York 10016
(212) 725-3846
Attorneys for Defendant
Council on American Islamic Relations

CERTIFICATE OF SERVICE

I, ALLY HACK, Esq. do hereby certify that I served the within Memorandum of Law in Support of the Council on American-Islamic Relations' Motion to Dismiss on this date, on all parties in the case via filing with the Court's Electronic Case Filing (ECF) system.

Dated: October 17, 2005



ALLY HACK, ESQ.